

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Suits – Writ Petition No.33676/2010 filed by Sri A.Sumander Reddy and others, R/o Ramsagar Village, Cherial Mandal, Warangal District – Hon'ble High Court orders in W.P.No.33676/2010 –Writ Appeal in High Court and SLP before Supreme Court - Dismissed - Release of amount to the Chief Engineer, Minor Irrigation (T), Hyderabad towards compensation to the Petitioners/land owners of Ramsagar Village, Cherial Mandal, Warangal District to an extent of Ac.104.13 gts., coming under submergence for restoration of tank known as Polai Cheruvu at Ramsagar Village, Cherial Mandal, Warangal District – Permission accorded .

IRRIGATION & CAD (PW:LA.III) DEPARTMENT

G.O.Rt.No. 231

Dated:20.05.2014
Read the following:-

1. Hon'ble High Court orders dt. 2.2.2012 in W.P.No.33676/2010
2. Hon'ble High Court orders dt.5.6.2013 in W.A.No.1619/2012 in W.P.No.33676/2010.
3. Supreme Court Orders dt:15.04.2014 in SLP(Civil) No.5733/ 2014
4. From the Chief Engineer, Minor Irrigation(T) Hyderabad, Lr.No.DCE_II/OT1/SO2/WGL/LA/Polai Cheruvu/LOC/ 33676/ 013, dt:04.12.2013.
5. From the District Collector, Warangal, Lr.Rc.No.D3/3171/2007, dt.22.12.2013.
6. From the Chief Engineer, Minor Irrigation(T) Hyderabad, Lr.No.DCE_II/OTI/SO3/WGL/LA/Polai Cheruvu/LOC/2013-14, dt:31.12.2013.
7. From the District Collector, Warangal, Lr.Rc.No.D3/3171/2007, dt.22.04.2014.
8. From the Chief Engineer, Minor Irrigation(T) Hyderabad, Lr.No.DCE_II/OTI/SO3/21/Court Cases/WGL/Polai Cheruvu, dt:24.04.2014.

ORDER:-

In the reference 1st read above, the Hon'ble High Court of Andhra Pradesh in W.P.No.33676/2010 has directed the respondents to pay a sum of Rs.60,000/- per acre to the petitioners for their lands coming under submergence for restoration of tank known as Polai Cheruvu at Ramsagar Village, Cherial Mandal, Warangal Dist. If the amount is paid within four months from the date of orders ie. on 2.2.2012, it shall not carry any interest. In default, it shall carry interest at the rate of 12% per annum from the date on which the amount of Rs.15,000/- per acre was paid.

2. The Writ Appeal filed before the Division Bench of the Hon'ble High Court of Andhra Pradesh against the orders in 33676/2010, was dismissed vide reference 2nd read above. In the reference 3rd read above, the Special Leave Petition filed before the Supreme Court of India against the orders in W.A.No.1619/2012 in W.P.No.33676/2010, was also dismissed.

3. In the references 4th to 8th read above, the Chief Engineer, Minor Irrigation (T) Hyderabad and the District Collector, Warangal while reporting the circumstances in the wake of above court orders, have submitted their proposals for release of required amount towards payment of land compensation to the petitioners/land owners to an extent of Ac.104.13 gts., of land coming under submergence for restoration of tank known as Polai Cheruvu at Ramsagar Village, Cherial Mandal, Warangal District. The District Collector, Warangal in his proposal vide his reference 7th read above, has requested to release an

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amount of Rs.1,44,88,256/- towards payment of land compensation including interest of 12% to the petitioners for implementation of Hon'ble High Court orders in W.P. No.33676/2010 to avoid further legal complications in the case.

4. Government after careful examination of the proposals of the District Collector, Warangal and the Chief Engineer, Minor Irrigation (T) Hyderabad in the references 4th to 8th read above and on the request of the District Collector, Warangal in the reference 7th read above hereby accord permission to the Chief Engineer, Minor Irrigation (T) Hyderabad to release an amount of Rs.1,44,88,256/- (Rupees One crore Forty four lakhs Eighty eight thousand Two hundred and fifty six only) to an extent of Ac.104.13 gts., of land coming under submergence for restoration of tank known as Polai Cheruvu at Ramsagar Village, Cherial Mandal, Warangal District towards payment of compensation to the petitioners / land owners subject to confirmation and verification by the District Collector, Warangal and the Chief Engineer, Minor Irrigation (T), Hyderabad as to the extent of the land for which the compensation is to be payable to genuine land owners/petitioners as per Hon'ble High Court orders in W.P.No.33676/2010. They should also verify the calculations of compensation made by them including interest thoroughly once again, before depositing the above sanctioned amount in the concerned court.

5. The expenditure sanctioned in Para 4 above, shall be debited to the detailed head of account under "4702 COL on Minor Irrigation – MH-101 Surface Water - GH-11 Normal State Plan - SH (12) Construction of Restoration of MI Sources – 530/532 Lands (Charged).

6. The District Collector, Warangal is requested to take immediate necessary follow-up action for payment of land compensation to the petitioners/land owners within the stipulated time to avoid further legal complications in the case.

7. This order issues under special circumstances of the case as per Hon'ble High Court orders and it shall not be treated as Precedent Case to other similar cases if any.

8. This order issues with the concurrence of Finance (Expr.PW.I) Department vide their U.O.No.10115/261/Expr.PW (I)/14, dated 08.05.2014.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D. KADMIEL
SECRETARY TO GOVERNMENT

To

The Chief Engineer, Minor Irrigation(T), Errum Manzil, Hyderabad

The District Collector, Warangal

The Revenue Divisional Officer, Jangaon, Warangal District.

The Superintending Engineer, I&CAD, Irrigation Circle, Warangal

The Mandal Revenue Officer, Cherial Mandal, Warangal District.

The Accountant General, Andhra Pradesh, Hyderabad.

The Director of Works Accounts, Hyderabad.

The Pay and Accounts Officer, Warangal.

Copy to:-

The Government Pleader, I&CAD, High Court of A.P.,Hyderabad – with reference to CC.No.1444/2003 in W.P.No.33676/2010

The Government Pleader, LA, High Court of A.P.,Hyderabad– with reference to CC.No.1444/2003 in W.P.No.33676/2010

The P.S. to Principal Secretary to Government, I & CAD, Department

The Law Department

The Finance (W&P) Department.

Stock file / Spare copies.

//FORWARDED::BY ORDER //

SECTION OFFICER